

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

ALEXANDER N. JONES, KEN JONES,
AND JO ANNE JONES,

Plaintiffs,

vs.

THE STATE OF WASHINGTON;
CHRISTINE O. GREGOIRE, IN HER
OFFICIAL CAPACITY AS GOVERNOR
OF THE STATE OF WASHINGTON;
GRANT COUNTY, WASHINGTON; LEROY
C. ALLISON, AND "JANE DOE"
ALLISON, HIS WIFE; TIM SNEAD,
AND "JANE DOE" SNEAD, HIS WIFE;
DEBORAH KAY MOORE, AND "JOHN
DOE" MOORE, HER HUSBAND;
DOUGLAS G. ANDERSON, AND
KIRSTEN H. ANDERSON, HIS WIFE,

Defendants.

No. CV-12-188-EFS

PROTECTIVE ORDER

Based on the parties' stipulation, ECF No. 11-1, **IT IS**

HEREBY ORDERED:

1. Scope: This protective order applies to (a) juvenile court records, (b) educational records, (c) medical and psychological records, (d) financial records of any person, and (e) personnel records of Grant County and State of Washington employees.

1 2. Nonexclusive basis: Juvenile court records are
2 generally privileged and confidential under Wash. Rev. Code ch.
3 13.50, as amended, see 2012 Wash. Legis. Serv. Ch. 717.
4 Educational records are generally privileged and confidential
5 under the The Family Educational Rights and Privacy Act, 20
6 U.S.C. § 1232g and 34 C.F.R. Pt. 99. Medical and psychological
7 records are generally privileged and confidential under Wash.
8 Rev. Code §§ 5.60.060(4), 18.83.110, and the Uniform Health
9 Care Information Act, Wash. Rev. Code ch. 70.02. Persons have a
10 recognized privacy interest in their financial records and
11 personnel files.
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14 3. Designation as "confidential": Any party producing or
15 receiving any records (including deposition transcripts) that
16 it believes to be within the scope of this protective order may
17 designate the records or part thereof as "confidential" by
18 labeling them as such within a reasonable time.
19

20 4. Challenging designations: Any party may challenge the
21 designation of confidentiality within a reasonable time. Until
22 such time as the challenge may be heard by the court, the
23 confidentiality of the designated records shall be maintained.
24 The parties shall meet and confer before bringing a challenge
25 before the court. The party designating the records as
26 confidential shall have the burden of proving that they should
27 remain confidential. This protective order shall not enlarge or
28

1 decrease the scope of any privilege or confidentiality
2 protection provided by law.

3 5. Effect of designation: The parties shall use their
4 best efforts to preserve the confidentiality of records
5 designated as such. They shall not disclose them or their
6 contents except among counsel and their staff, the parties
7 themselves, and expert witnesses. Counsel, their staff, the
8 parties, and experts shall be given a copy of this protective
9 order and agree to be bound by its provisions before disclosure
10 may occur. Records designated as confidential shall not be
11 filed with the Court except under seal. Records designated as
12 confidential shall be destroyed or returned to the producing
13 party at the conclusion of this lawsuit.

16 **IT IS SO ORDERED.** The District Court Executive is
17 directed to enter this Order and to furnish copies to counsel.

19 **DATED** this 25th day of June 2012.

21 _____s/ Edward F. Shea
22 EDWARD F. SHEA
23 Senior United States District Judge

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